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UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

IN THE MATTER OF THE
COMPLAINT OF BLUE DOLPHIN
CHARTERS, LTD. AND TERRY
DONNELLY, AS OWNERS OF THE
VESSEL M/V BLUE DOLPHIN,
O/N 1082212, FOR EXONERATION
FROM AND/OR LIMITATION
OF LIABILITY

) No. CV05-00037 HG BMK
)
) **OFFER TO ALLOW MONEY**
) **JUDGMENT TO BE TAKEN**
) **AGAINST LIMITATION**
) **PLAINTIFF / DEFENDANT BLUE**
) **DOLPHIN CHARTERS, LTD., IN**
) **FAVOR OF THE CLAYPOOL**
) **PLAINTIFFS, UNDER FED.**
) **R.CIV.P. 68**

— — — — —

DENNIS CLAYPOOL, individually) No. CV04 00570 HG- BMK
and as Guardian Ad Litem for)
KRISTEN CLAYPOOL, a minor,)
SHERYL CLAYPOOL, SCOTT)
CLAYPOOL, and KRISTEN)
CLAYPOOL,)
Plaintiffs,)
vs.)
CAPTAIN ANDY'S SAILING, INC.,)
BLUE DOLPHIN CHARTERS, LTD.)
and BLUE DOLPHIN DIVING, INC.,)
Defendants.)

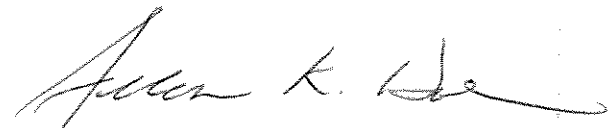
MATTHEW ISHAM, individually) NO. CV04-00559 HG-BMK
and as Guardian ad Litem for)
HAYDEN ISHAM, a minor,)
ROXANNE BEST ISHAM,)
Plaintiffs,)
vs.)
BLUE DOLPHIN CHARTERS, LTD.)
and BLUE DOLPHIN DIVING, LTD.,)
CAPTAIN ANDY'S SAILING,)
INC.,)
Defendants.)

COMES NOW LIMITATION PLAINTIFF / DEFENDANT BLUE DOLPHIN CHARTERS, LTD., pursuant to Fed.R.Civ.P. 68, who herewith offers to allow a "new money" judgment to be taken against it, over and above any settlement sums already paid to the CLAYPOOL Claimants by its employee MATTHEW ISHAM, in the amounts of:

- (1) \$950,000 in favor of Plaintiff / Limitation Claimant DENNIS CLAYPOOL;
- (2) \$650,000 in favor of Plaintiff / Limitation Claimant SHERYL CLAYPOOL;
- (3) \$50,000 in favor of Plaintiff / Limitation Claimant SCOTT CLAYPOOL, and;
- (4) \$50,000 in favor of Plaintiff KRISTEN CLAYPOOL.

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DATED: Honolulu, Hawaii, December 20, 2005


for ROBERT F. MILLER
Attorney for Terry Donnelly
and Blue Dolphin Charters